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PTO/SB/21 (6-98)

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/827,383

Filing Date 04/04/01

First Named Inventor Mittmann, et. al.

Group Art Unit 1631

Examiner Name L. Clow

Total Number of Pages in This Submission

14

Attorney Docket Number 3108.1

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69)
and Accompanying Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request for Refund

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Additional Enclosure(s)
(please identify below):

1) Form PTO/SB/08B (seven
pages)

2) One CD with electronic copy
of references

3) Return postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Sandra Wells, Reg. No- 52,349

Signature

Sandra Wells

Date

January 22, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: January 22, 2003

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PATENT

Attorney Docket No. 3108.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MITTMANN, et. al.

Serial No: 09/827,383

Filing Date: 04/04/01

Title: TAG NUCLEIC ACIDS AND
PROBE ARRAYS

Examiner: L. Clow

Group Art Unit: 1631

Commissioner for Patents
Washington, D.C. 20231

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 CFR § 1.56, § 1.97 and § 1.98, the documents listed on the accompanying U.S. Patent & Trademark Office's Modified Form-1449 are called to the attention of the Examiner for the above patent application.

In an effort to make the review of these references more convenient for the Examiner, Applicants are providing the Examiner and the PTO with a compact disc (CD) with the references available for electronic viewing. The CD contains the articles and information in .pdf format and can be viewed by opening the appropriate file or by selecting the link (CTRL + click) on the 1449 form included on the CD in word format. This IDS is being submitted in each of the applications listed in Table 1 and hard copies of the references cited in the IDS have been provided to Supervisory Primary Examiner Gary Jones as an "Affymetrix Array IDS binder" for the availability of all Examiners. Each of the applications discloses the probes present on one of the commercial arrays available from Affymetrix.

Table 1 summarizes the approximate dates when each of the Affymetrix commercial arrays were first offered for sale. Application serial numbers, Affymetrix docket numbers and priority dates are also included.

Table 1.

Array	Approximate Release Date	Application USSN (Affy. Ref.)	Priority Date
GeneChip HIV PRT 440	April 1996 (see p.8 of S-3 filed 10/17/1997)		
GeneChip p53	July 1997 (see p.8 of S-3 filed 10/17/1997)		
GeneChip CYP450	November 1997		
Hu6800 Set/HuGene FL	January 1998	09/660,222 (3102.1)	11/11/99
Mu6500	January 1998	09/396,196 (3101.1)	9/17/98
Ye6100	January 1998		
Test 1	January 1998		
Hu35K	November 1998		
Hu6800	November 1998		
Mu19K	November 1998		
Mu11K	November 1998		
GeneChip HIV PRT Plus	February 1999		
Rat Genome U34	August 1999	09/954,427 (3112.1)	9/18/00
Rat Toxicology U34	August 1999	09/660,080 (3109.1)	10/28/99
Test 2	August 1999	09/660,247 (3107.1)	10/28/99
HuSNP	August 1999		
Yeast Genome S98	February 2000	09/953,570 (3110.1)	9/14/00
E.coli Genome	February 2000	09/956,604 (3117.1)	9/19/00
Human Cancer G110	February, 2000	09/953.115 (3111.1)	9/14/00
Rat Neurobiology U34	February, 2000	09/954,429 (3114.1)	9/18/00
Human Genome U95	April 18, 2000	10/098,263 (3118.1)	3/16/01
Murine Genome U74	June 27, 2000	09/956,584 (3115.1)	9/20/00
Arabidopsis Genome	June 27, 2000	09/954,445 (3116.1)	9/18/00
GenFlex Tag	July 31, 2000	09/827,383 (3108.1)	4/6/00
Drosophila Genome	January 2001		
Test 3	May 2001	10/215,112 (3119.1)	8/8/01
E. coli Antisense Genome	November 2001		
P. aeruginosa Genome	November 2001		
Human Genome U133	January 2002	60/353,987 (3121)	2/1/02
C. elegans Genome	April 2002		

Citation of these documents shall not be construed as (1) an admission that the document are necessarily prior art with respect to the instant invention; (2) a representation that a search has been

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made, other than as described above; or (3) an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

Applicants believe that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 01-0431. Please deduct any additional fees from, or credit any overpayment to the above-noted Deposit Account.

Respectfully submitted,



Sandra Wells

Reg. No.: 52,349

Date: Jan. 22, 2003

Legal Department
Affymetrix, Inc.
3380 Central Expressway
Santa Clara, CA 95051
Tel: 408/731-5000
Fax: 408/731-5392



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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 7

Complete if Known

Application Number	09/827,383
Filing Date	04/04/01
First Named Inventor	Mittmann, et. al.
Group Art Unit	1631
Examiner Name	TBD
Attorney Docket Number	3108.1

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	LIPSHUTZ RJ: Letter from Dr. Lipshutz to Dr. Carrano, August 22, 1994. Link	
	2	AFFYMETRIX: GeneChip® Assays and Controls Price List, November, 1997. Link	
	3	AFFYMETRIX: GeneChip® Arrays and Assays Product List, January, 1998. Link	
	4	AFFYMETRIX: GeneChip® Arrays and Assays Product List, November, 1998. Link	
	5	AFFYMETRIX: GeneChip® Arrays and Reagents, February, 1999. Link	
	6	AFFYMETRIX: GeneChip® Price Catalog (U.S. and Canada), July, 1999. Link	
	7	AFFYMETRIX: Addendum (U.S. and Canada) GeneChip® Arrays and Reagents, August, 1999. Link	
	8	AFFYMETRIX: GeneChip® Price Catalog (U.S. and Canada), January, 2000. Link	
	9	AFFYMETRIX: Affymetrix® Catalog Addendum GeneChip® Arrays and Reagents (U.S. and Canada), February, 2000. Link	
	10	AFFYMETRIX: Affymetrix® Product Catalog (Global), August, 2000. Link	
	11	AFFYMETRIX: Affymetrix® Product Catalog (Global), January, 2001. Link	

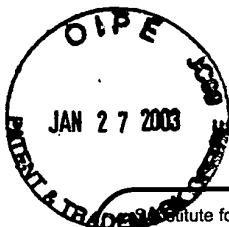
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First Named Inventor	Mittmann, et. al.
Group Art Unit	1631
Examiner Name	TBD
Attorney Docket Number	3108.1

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	12	AFFYMETRIX: Affymetrix® Product Catalog (Global), January, 2002. Link	
	13	AFFYMETRIX: Affymetrix® Product Catalog (Global), July, 2002. Link	
	14	AFFYMETRIX: Product Information GeneChip® HuSNP Mapping Assay, 1999. Link	
	15	AFFYMETRIX: Product Information GeneChip® GenFlex™ Tag Array, 2000. Link	
	16	AFFYMETRIX: Product Information GeneChip® Yeast Genome S98 Array, 2000. Link	
	17	AFFYMETRIX: Product Information GeneChip® HIV PRT Assay, 1997. Link	
	18	AFFYMETRIX: Product Information GeneChip® HIV PRT Plus, 1998. Link	
	19	AFFYMETRIX: Product Information GeneChip® p53 Assay, 1997. Link	
	20	AFFYMETRIX: Product Information GeneChip® p53 Probe Array and Reagents, 1998. Link	
	21	AFFYMETRIX: Product Information GeneChip® CYP450 Assay, 1997. Link	
	22	AFFYMETRIX: Product Information GeneChip® CYP450 Probe Array and Reagents, 1998. Link	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 3 of 7		Complete if Known	
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		First Named Inventor	Mittmann, et. al.
		Group Art Unit	1631
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		Attorney Docket Number	3108.1

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	23	AFFYMETRIX: Product Information GeneChip® Hu6800 Array, 1998. Link	
	24	AFFYMETRIX: Product Information Human Genome U95 Set, 2000. Link	
	25	AFFYMETRIX: Product Information GeneChip® Human Genome U133 Set, 2001. Link	
	26	AFFYMETRIX: Product Information GeneChip® Human Genome Focus Array, 2002. Link	
	27	AFFYMETRIX: Product Information GeneChip® Human Cancer G110 Array, 1999. Link	
	28	AFFYMETRIX: Product Information Rat Neurobiology U34 Array, 2000. Link	
	29	AFFYMETRIX: Product Information GeneChip® Rat Genome U34 Array Set, 1999. Link	
	30	AFFYMETRIX: Product Information GeneChip® Test1, 1998. Link	
	31	AFFYMETRIX: Product Information GeneChip® Test2 Array, 1999. Link	
	32	AFFYMETRIX: Product Information GeneChip® Test3 Array, 2001. Link	
	33	AFFYMETRIX: Product Information GeneChip® Yeast Genome S98 Array, 1999. Link	

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		First Named Inventor	Mittmann, et. al.
		Group Art Unit	1631
		Examiner Name	TBD
		Attorney Docket Number	3108.1
Sheet	4	of	7

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	34	AFFYMETRIX: Product Information GeneChip® Mu6500 Set, 1998. Link	
	35	AFFYMETRIX: Product Information GeneChip® Murine Genome U74 Set, 2001. Link	
	36	AFFYMETRIX: Product Information GeneChip® Murine 11K Set, 1998. Link	
	37	AFFYMETRIX: Product Information GeneChip® Murine 11K Set, 2001. Link	
	38	AFFYMETRIX: Product Information GeneChip® Murine 19K Set, 1998. Link	
	39	AFFYMETRIX: Product Information Arabidopsis Genome Array, 2000. Link	
	40	AFFYMETRIX: Product Information GeneChip® Arabidopsis ATH1 Genome Array, 2002. Link	
	41	AFFYMETRIX: Product Information E. coli Genome Array, 2000. Link	
	42	AFFYMETRIX: Product Information GeneChip® E. coli Antisense Genome Array, 2001. Link	
	43	AFFYMETRIX: Product Information GeneChip® P. aeruginosa Genome Array, 2001. Link	
	44	AFFYMETRIX: Product Information P. aeruginosa Genome Array, 2001. Link	

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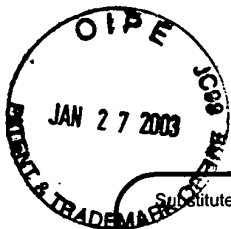
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STATEMENT BY APPLICANT**

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Sheet 5 of 7

Complete if Known

Application Number	09/827,383
Filing Date	04/04/01
First Named Inventor	Mittmann, et. al.
Group Art Unit	1631
Examiner Name	TBD
Attorney Docket Number	3108.1

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	45	AFFYMETRIX: Product Information Drosophila Genome Array, 2000. Link	
	46	AFFYMETRIX: Product Information GeneChip® B. subtilis Genome Array, 2002. Link	
	47	AFFYMETRIX: Product Information GeneChip® C. elegans Genome Array, 2002. Link	
	48	AFFYMETRIX: Product Information GeneChip® Custom Arrays, 1998. Link	
	49	AFFYMETRIX: Product Information GeneChip® Custom Arrays, 2002. Link	
	50	AFFYMETRIX: Product Information GeneChip® Ye6100 Set, 1998. Link	
	51	AFFYMETRIX: Product Information GeneChip® Human 35K Set, 1998. Link	
	52	CRONIN MT, ET AL, "Cystic fibrosis mutation detection by hybridization to light-generated DNA probe arrays", Human Mutation, 1996, 7, 3, 244-55. Link	
	53	HACIA JG, ET AL, "Detection of heterozygous mutations in BRCA1 using high density oligonucleotide arrays and two-colour fluorescence analysis", Nature Genetics, 1996, 14, 4, 441-7. Link	
	54	KOZAL MJ, ET AL, "Extensive polymorphisms observed in HIV-1 clade B protease gene using high-density oligonucleotide arrays", Nature Medicine, 1996, 2, 7, 753-9. Link	
	55	LOCKHART DJ, ET AL, "Expression monitoring by hybridization to high-density oligonucleotide arrays", Nature Biotechnology, 1996, 14, 13, 1675-80. Link	

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Substitute for form 1449A/PTO		Complete if Known	
		Application Number	09/827,383
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Filing Date	04/04/01
		First Named Inventor	Mittmann, et. al.
		Group Art Unit	1631
		Examiner Name	TBD
		Attorney Docket Number	3108.1
Sheet	6	of	7

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	56	SHOEMAKER DD, ET AL, "Quantitative phenotypic analysis of yeast deletion mutants using a highly parallel molecular bar-coding strategy", Nature Genetics, 1996, 14, 4, 450-6. Link	TECH CENTER 1600/2900
	57	WODICKA L, ET AL, "Genome-wide expression monitoring in Saccharomyces cerevisiae", Nature Biotechnology, 1997, 15, 13, 1359-67. Link	
	58	DE SAIZIEU A, ET AL, "Bacterial transcript imaging by hybridization of total RNA to oligonucleotide arrays", Nature Biotechnology, 1998, 16, 1, 45-8. Link	
	59	FAN JB, ET AL, "Parallel genotyping of human SNPs using generic high-density oligonucleotide tag arrays", Genome Research, 2000, 10, 6, 853-60. Link	
	60	HARMER SL, ET AL, "Orchestrated transcription of key pathways in Arabidopsis by the circadian clock", Science, 2000, 290, 5499, 2110-3. Link	
	61	RIENECK K, ET AL, "Massive parallel gene expression profiling of RINm5F pancreatic islet beta-cells stimulated with interleukin-1beta", Apms, 2000, 108, 12, 855-72. Link	
	62	RUDD KE, "New tools for an old workhorse", Nature Biotechnology, 2000, 18, 12, 1241-2. Link	
	63	SELINGER DW, ET AL, "RNA expression analysis using a 30 base pair resolution Escherichia coli genome array", Nature Biotechnology, 2000, 18, 12, 1262-8. Link	
	64	TRAVERS KJ, ET AL, "Functional and genomic analyses reveal an essential coordination between the unfolded protein response and ER-associated degradation", Cell, 2000, 101, 3, 249-58. Link	
	65	HAKAK Y, ET AL, "Genome-wide expression analysis reveals dysregulation of myelination-related genes in chronic schizophrenia", Proceedings of the National Academy of Sciences, USA, 2001, 98, 8, 4746-51. Link	
	66	LU SC, ET AL, "Methionine adenosyltransferase 1A knockout mice are predisposed to liver injury and exhibit increased expression of genes involved in proliferation", Proceedings of the National Academy of Sciences, USA, 2001, 98, 10, 5560-5. Link	

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	68	NICULESCU AB, 3RD, ET AL, "The human genome: genetic testing and animal models", American Journal of Psychiatry, 2001, 158, 10, 1587. Link	
	69	STAMEY TA, ET AL, "Molecular genetic profiling of Gleason grade 4/5 prostate cancers compared to benign prostatic hyperplasia", Journal of Urology, 2001, 166, 6, 2171-7. Link	
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U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	76	US-5,143,854	09-01-1992	Pirung et al. Link	
	77	US- 5,800,992	06-25-1996	Fodor et al. Link	

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